

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**INFORMAL
November 1, 2004**

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened in Informal Session at 9:00 a.m., November 1, 2004 in the Board of Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Andrew Kunasek, Chairman, District 3; Fulton Brock, District 1, Don Stapley, District 2; Max W. Wilson, District 4; and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Monica Farine, Minutes Coordinator; David Smith, County Administrator; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

Chairman Kunasek called the meeting to order.

EXECUTIVE SESSION CALLED

Pursuant to A.R.S. 38-431.03, motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (5-0) to recess and reconvene in Executive Session to consider items listed on the Executive Agenda dated November 1, 2004, as follows.

LEGAL ADVICE: SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION; ARS §38-431.03(A)(3) and (A)(4)

Smith v. Winkleman, CV 2004-020078 and Arizona State Land Dept. – Easement Dispute

Tim Phillips, Acting Chief Engineer and General Manager, FCDMC
Julie Lemmon, General Counsel, FCDMC
Mike Frazelle, Special Counsel for FCDMC

MEETING ADJOURNED

At the conclusion of discussion on the matters listed above, and there being no further business to come before the Board, the meeting was adjourned

Andrew Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board